IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 2957 of 2007()

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crime no.202/1998 of Chandera police station

: PETITIONER/1ST ACCUSED

KAVVAYIKKARAN MUHAMMADKUNHI,
S/O.KUNHIMOIDEEN, AGED 59 YEARS,
BIRICHERRY, SOUTH TRIKARIPUR.

BY ADV. SRI.SOJAN MICHEAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PP JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2957/2007

Dated this 23rd day of May, 2007

O R D E R

Petitioner who is the first accused in Crime No.202/1998 of Chandera Police Station for offences punishable under Sections 419, 420, 467, 468 and 471 IPC read with section 34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.392/2006 before the J.F.C.M-I, Hosdurg, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered

by the petitioner for his previous non-appearance.

With the above observation, this application is disposed of.

V.RAMKUMAR,
JUDGE

mrcs